



JUNE 15, 1955



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OPERATION INTERNAL SECURITY

AN aura of mystery seems to surround the nation's internal security system. Few of us have ready answers to such simple questions as: What espionage and sabotage laws are on the books? How are the various internal security operations coordinated? What is the purpose of the Attorney General's List? the Subversive Activities Control Board? While secrecy has its place in undercover work, public awareness of the over-all setup is also important.

THE BASIC LAWS

The framers of the Constitution recognized the dangers of subversion; in fact, treason was the only crime defined in that document. Despite today's wide application of the term "subversive activity," the constitutional definition is limited to levying war against the United States or giving aid and comfort to the enemy. Testimony of two witnesses to the overt act is necessary to convict.

The Supreme Court soon recognized the power of Congress to pass laws penalizing subversive acts short of treason. The laws enacted since, especially in times of crisis such as the Civil War, World Wars I and II, and the "Cold War," fall into three general categories: sedition, espionage, and sabotage.

Sedition was the first to be made a crime. Its legal definition has ranged from criticism of public officials, under the Sedition Act of 1798; to conspiracy to overthrow the government by force, under an 1861 Act; to the advocacy by individuals acting alone or in conspiracy to overthrow the government by force, under the 1940 Smith Act.

Espionage was first defined in legislation during World War I. The Espionage Act of 1917 is still in force, with modifications. Up to the 1917 Act, spies were dealt with under military law. Although better known for its sedition provisions, the 1917 Act also provided penalties for gathering, transmitting, or losing defense information to the injury of the United States or the advantage of

a foreign government. Since that time, the legislative trend has been toward defining the offense in broader terms, adding offenses, and increasing the time span under the statute of limitations.

Sabotage was also covered in a World War I Act providing severe penalties in time of war for injury or destruction of any war material, premises, or utilities. Its provisions were broadened in 1940, in the shadow of U. S. entry into World War II, and extended in 1950 to apply to national emergencies.

Several laws tightening up the espionage and sabotage laws were enacted in 1954. (See *NATIONAL VOTER* 9/15/54)

A program to prevent subversive activity has also been developed, covering: the various security programs—federal employee, atomic energy, defense contracts, port facilities; registration requirements for aliens, foreign agents, communist-action, -front, -infiltrated organizations; emergency detention powers; classification of vital defense information.

COORDINATION

The National Security Council, the over-all planning board for national security, has two internal security committees:

1) Interdepartmental Intelligence Conference, to coordinate investigations of intelligence matters affecting internal security. It consists of the Director of the Federal Bureau of Investigation, Chief of Naval Intelligence, the Army's Director of Intelligence, and the Air Force's Director of Special Investigations.

2) Interdepartmental Committee on Internal Security, composed of representatives from the Treasury and Justice Departments and the National Military Establishment, to coordinate activities other than investigations.

INVESTIGATION

The Federal Bureau of Investigation of the Justice Department does the major share of investigating in this field, along with other duties. Its security functions range from federal personnel investigations to undercover agent ac-

tivities. The FBI carries on its investigative job through its 52 Field Divisions located in key cities throughout the United States and territorial possessions.

ADMINISTRATION

The Justice Department's Internal Security Division supervises enforcement of criminal statutes relating to the prosecution of subversives. It has four sections:

1) *Subversive Activities Section* supervises enforcement of subversive laws, including prosecution of Communists under the Smith Act; of subversives for false statements to government authorities, for perjury, for contempt, and for related violations.

2) *Subversive Organizations Section* enforces the Internal Security Act provisions for registration of communist organizations, prepares petitions to present to the Subversive Activities Control Board, and also handles the Attorney General's List.

3) *Foreign Agents Registration Section* administers the 1938 Foreign Agents Registration Act, maintains a public file of registration statements, and a file of propaganda materials.

4) *Appeals and Research Section* directs preparation of internal security appeals and conducts legal research. It also prepares reports on existing and proposed legislation.

The *Attorney General's List* covers organizations determined by the Attorney General to be fascist, totalitarian, subversive, communist and communist-front. The List, first made public in 1948, is designed "to put government agencies, employees and future applicants for government positions on notice." It is also used to screen individuals for federal housing units, veterans' educational benefits, and income tax deductions.

The *Subversive Activities Control Board* was created under the 1950 Internal Security Act. This semi-judicial board conducts public proceedings on petition from the Attorney General to determine whether an organization is communist-action or communist-front.



FROM THE
PRESIDENT'S
DESK

I AM sure that a great many League members at one time or another have wished we could stop all activity for a period and evaluate the effectiveness of what we have done, how we have done it, and what it means for the future. Indeed, I have wished a professional survey could be made of our methods of carrying out our purpose so that in laying future plans we could be guided by the findings. Such a study might reveal the effect of what we do on the development of the American system of government.

This latter question is of fundamental importance. The League is concerned with the promotion of responsible citizenship. We select local, state, and national governmental issues which are of vital public concern in order to provide citizens with experience in gathering facts, weighing possible solutions,

reaching decisions, and carrying these decisions into effect. Certainly we must ask ourselves frequently: Do we see all around a question and do we really understand the implications of our action?

For example, we have worked to establish nonpartisan government in many towns. Yet by implication we support the two-party system. What is the effect of nonpartisan local government on our political party system? This is only one example, but it illustrates the need to take the long-range view.

Another interesting phenomenon worthy of attention is the need for modernization of the structure, procedures and policies of government at all levels. Government on the whole has not kept abreast of 20th century scientific and technological advances. Neither have political attitudes. The acknowledgment of this situation constitutes a recognition of the need for the League of Women Voters. It offers opportunity for constructive work by all citizens.

We are facing a dilemma. We have outgrown the town meeting

method of determining public policy. Every citizen cannot possibly form reasonable judgments and communicate them to his representatives on every important governmental question. This situation will demand innovations of some sort so that citizens can maintain their control over government. What will the change be—adjustment or expansion of the theory of representation?

The League is about to embark on the national program-making period which culminates in the Convention next April. It is important that we give thought to these and other questions. In order to help us all evaluate our activities in relation to our purpose, the national Board is planning fall Progress Conferences with state Boards. They in turn will hold conferences with local Boards, and local Boards will provide for membership discussion. All this should help prepare us to make Convention decisions responsive to the best thinking of our members in the interests of responsible government.

Lucy Marvin Lee

FINAL OUTCOME OF H. R. 1

AFTER five weeks, Senate and House conferees on June 7 reached agreement on H. R. 1, extension of the Trade Agreements Act. Proponents of liberalized trade made two significant gains: the President will be able to reduce tariffs by 15 per cent over a three-year period and he may reduce to 50 per cent any tariff over 50 per cent.

As a result of debate in the Senate Finance Committee, however, the Administration and Senate Democratic and Republican leadership accepted important amendments, to which the conference committee generally agreed.

The first amendment rolled back the date from which tariff cuts could be made from July 1, 1955 to January 1, 1955. The six-month difference is important because the United States negotiated a trade agreement with Japan between January and June. Any U. S. tariff reduced 15 per cent or over in the Japanese agreement cannot be reduced further under the provisions of H. R. 1. This was done primarily to accommodate textile producers.

The second amendment grants the President authority to impose quotas on imports if they appear to threaten an industry believed vital to national defense. The President could impose such a limitation on imports as a result of an investigation recommended by the Office of Defense Mo-

bilization, an agency in the Executive Office of the President. Senator Bennett (R., Utah) indicated during debate that ODM believed some 500 industries will now request protection from imports. There is little doubt that ODM will become increasingly important in administration of U. S. foreign trade policy. ODM was influential in the President's decision to increase the watch tariff for defense reasons.

A third amendment involves the escape clause. Previously, when the Tariff Commission investigated an industry's claim for tariff protection, the Commission based its findings on the health of the entire industry. The Commission also considered factors other than imports, such as domestic competition which might be causing injury. Under the new law the Commission must find injury from imports if they have "contributed substantially towards causing or threatening serious injury to such industry." The Commission is also directed to find injury if only a segment of an industry is adversely affected by imports. These two changes make it easier for the Commission to recommend tariff increases to the President.

The new Act will subject the President to many new pressures. It will be important, therefore, to watch administrative developments on trade matters in the coming months.

★ CONGRESSIONAL ★ SPOTLIGHT

MUTUAL SECURITY: Senate passed June 2, **S. 2090**, authorizing \$3.4 billion for foreign aid. Figure includes contribution of \$24 million to U.N. Technical Assistance Program for 18-month period. House Foreign Affairs Committee began hearings May 26.

TRADE: Reclassification of hardboard which would double import duty was passed by Senate June 1 as rider to **H.R. 5559**, House-passed bill to extend privilege of free importation of gifts by members of U. S. armed forces. Conference had not been requested by House as of June 14; unless one is held the bill will die.

DEFENSE PLANT SECURITY: Senate Internal Security Subcommittee concluded hearings June 2 on **S. 681**, granting President broad discretionary powers to bar suspected subversives from defense-related plants.

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